



**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.**

Issued by the Department of Transportation on March 1, 2004

**NOTICE OF ACTION TAKEN -- DOCKET OST 2001-11158**

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This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Applicant: WESTJET

Date Filed: February 6, 2004

Relief requested: Exemption from 49 USC section 41301 to permit the applicant to continue to conduct: 1) scheduled foreign air transportation of persons, property and mail, between any point or points in Canada and any point or points in the United States; and 2) charter operations, carrying persons, property and mail, between Canada and the United States, and other charters in accordance with 14 CFR Part 212.

If renewal, date and citation of last action: February 21, 2003, in this Docket.

Applicant representative: Don H. Hainbach, 202-776-3970 DOT analyst: Allen F. Brown, 202-366-2405

Responsive pleadings: None.

**DISPOSITION**

Action: Approved.

Action date: March 1, 2004

Effective dates of authority granted: March 1, 2004, through March 1, 2005.

Basis for approval (bilateral agreement/reciprocity): United States-Canada Air Transport Agreement.

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated: Standard exemption conditions.

Special conditions/Remarks:

**Action taken by: Paul L. Gretch, Director, Office of International Aviation**

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Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy; (2) grant of the authority was consistent with the public interest; and (3) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted/deferred/dismissed, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion. Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within seven (7) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

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[http://dms.dot.gov/reports/reports\\_aviation.asp](http://dms.dot.gov/reports/reports_aviation.asp)*